

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CRAIG ZIMMERLEIN,)	
)	
Petitioner,)	
)	
v.)	No. 08-CV-2595
)	
NEDRA CHANDLER, Warden,)	The Honorable
)	George W. Lindberg,
Respondent.)	Judge Presiding.

THIRD MOTION FOR EXTENSION OF TIME
TO RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS

Respondent moves this Court for a 30-day extension of time to answer or otherwise plead to petitioner's §2254 petition. Respondent's response is currently due on July 29, 2008. This is respondent's third request for an extension of time in this case. A supporting declaration is attached to this motion.

July 22, 2008

LISA MADIGAN
Attorney General of Illinois

By: s/ Retha Stotts
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DECLARATION

RETHA STOTTS states as follows:

1. I am an Assistant Attorney General in the Criminal Appeals Division of the Illinois Attorney General's Office. I was assigned to this case on May 16, 2008.

2. On May 19, 2008, I requested the briefs and records in petitioner's state-court proceedings through a paralegal in the Illinois Attorney General's office. On May 27, 2008, not having received the records I requested, I moved this Court for an extension of time to answer the petition. This Court granted my motion, extending the response deadline to July 7, 2008.

3. I later received what I initially believed to be the entire state court record in petitioner's case from the Kane County Circuit Court. Specifically, I received two boxes of documents totaling approximately 4200 pages. When I began reviewing these documents, I realized that certain documents were missing, and I wrote to the Kane County Clerk requesting the missing documents.

4. On June 29, 2008, I requested a second extension of time because I had not yet had sufficient time to review the voluminous records in petitioner's case and had not yet received the missing documents. This Court granted my motion on July 1, 2008, extending the response deadline to July 29, 2008.

5. Since that time, I have completed my review of all 4200 pages of records I originally received from Kane County. In addition, I have begun drafting a response to the petition and performed some necessary legal research. I also

received a second batch of records from Kane County in response to my second request, but I have not yet had sufficient time to review those additional records.

6. I am requesting this extension of time so that I can complete my review of the second batch of records in petitioner's case before responding to his petition. I do not anticipate any further delays based on the need to obtain and review the state court records in petitioner's case. My request is made in good faith and not for purposes of undue delay.

I declare under penalty of perjury that the above facts are true.

Dated: 7/22/08

s/ RETHA STOTTS
RETHA STOTTS

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2008, I electronically filed the foregoing **Third Motion For Extension Of Time To Respond To Petition For Writ Of Habeas Corpus** with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system, which will send an e-notice of the electronic filing to the following registered party:

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